

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BARRY GARFINKLE and EMILY GARFINKLE,
Plaintiffs,
v.
JP MORGAN CHASE BANK and CALIFORNIA
RECONVEYANCE COMPANY,
Defendants.

No. C 11-1636 CW
ORDER REFERRING
CASE TO
ALTERNATIVE
DISPUTE
RESOLUTION UNIT
FOR INITIAL
ASSESSMENT

Pursuant to Civil L.R. 16-8 and ADR L.R. 2-3, the Court refers this foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit to assess this case's suitability for mediation or a settlement conference. Plaintiffs Barry Garfinkle and Emily Garfinkle and Defendants JP Morgan Chase Bank and California Reconveyance Company, or their counsel, shall participate in a telephone conference, to be scheduled by the ADR Unit on a date before May 27, 2011.

The parties or their counsel shall be prepared to discuss the following subjects:

- (1) Identification and description of claims and alleged defects in loan documents.
- (2) Prospects for loan modification.

(3) Prospects for settlement.

(4) Any other matters that may be conducive to the just, efficient and economical determination of the action.

The parties need not submit written materials to the ADR Unit for the telephone conference.

In preparation for the telephone conference, Plaintiffs shall do the following:

(1) Review relevant loan documents and the claims they have filed.

(2) If Plaintiffs are seeking a loan modification to resolve all or some of their claims, they shall prepare a current, accurate financial statement and gather all of the information and documents customarily needed to support a loan modification request. Further, Plaintiffs shall immediately notify Defendants' counsel of their request for a loan modification.

(3) Provide counsel for Defendants with information necessary to evaluate the prospects for loan modification. The general and financial information provided to Defendants may be in the form of a financial statement, worksheet or application customarily used by financial institutions.

In preparation for the telephone conference, counsel for Defendants shall do the following.

(1) If Defendants are unable or unwilling to do a loan modification after receiving notice of Plaintiffs' request, counsel for Defendants shall promptly notify Plaintiffs to that effect.

(2) Arrange for a representative of each Defendant with full settlement authority to participate in the telephone conference.

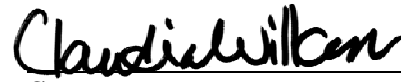
The ADR Unit will provide the parties with additional information regarding the telephone conference, including the date it will be held. After the telephone conference has been held, the ADR Unit will advise the Court of its recommendation for further

1 ADR proceedings.

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3 IT IS SO ORDERED.

4 Dated: 4/26/2011



CLAUDIA WILKEN

United States District Judge

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